

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICARDO CAPELLO,

Plaintiff,

v.

LESLIE SZIEBERT, et al. ,

Defendants.

CASE NO. C13-5275BHS-JRC

ORDER DECLINING TO ADOPT
REPORT AND
RECOMMENDATION

This matter comes before the Court on the Report and Recommendation ("R&R") of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 103. The Court having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is **DECLINED as moot**; and
- (2) This case is **DISMISSED** pursuant to the Notice of Voluntary Dismissal (Dkt. 104).

Dated this 2nd day June, 2014.



BENJAMIN H. SETTLE
United States District Judge